GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - MA&UD Department - Allegations for allowing unauthorized constructions of 4 buildings and violation of building rules by certain builders as well as concerned officials of Tenali Municipality - Disciplinary action initiated against Sri Y.Siva Nageswara Rao, the then TPS (Retd.) and others of Tenali Municipality, Guntur District – Charges framed - Enquiry conducted – Inquiry Report communicated - Imposing a penalty of "5% cut in pension for a period of two (2) years" – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.II) DEPARTMENT

G.O.Rt.No.178 **Dated.29.03.2022.**

Read the following:

1. From the DG., G.A. (V&E) Dept. V.R.No.56 (2882/V&E/D1/2006), dated.30.04.2007.
2. G.O.Rt.No.236, MA&UD (E1) Department, dt.15.02.2008.
3. WSD of Sri.Y.Siva Nageswara Rao, the then TPS (Retd.), dt.Nil.
4. G.O.Rt.No.544 & 545, MA&UD (VIG.II) Dept., dt.03.09.2019.
5. Enquiry Report of the Enquiry Officer, Lr. Roc.No.9670/2007/V.Cell, dt.28.07.2021 of DTCP
6. Govt.Memo.No.18528/VIG.II/2007, dt.28.09.2021.
7. Written representation of Sri Y.Siva Nageswara Rao, the then TPS (Retd.), dt.10.11.2021 (received through DTCP, Lr.Roc.No. 9670/2007/V.Cell, dt.25.11.2021)
8. Govt.Memo.No.18525/Vig.II/2007, dt.08.02.2022.
9. Explanation of Sri Y. Sivanageswara Rao, TPO (RTd), dt.17.02..2022.
10. Govt. letter.No.18525/Vig.II/2007, dt.02.03.2022.
11. From the APPSC, AP, Vijayawada, Lr.No.127/DC&C/2022, dt. 28.03.2022.

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O R D E R:

Whereas based on the Report of G.A. (V&E) Department, in the reference 1st read above on the allegations of unauthorized construction of four (4) buildings in Tenali Town, Guntur District for violating buildings rules and their negligence / connivance in discharging their duties and not adhering to the instructions issued in G.O.Ms.No.423, MA & UD Dept., dt.31.07.1998, Government decided to initiate disciplinary action against Sri.Y.Siva Nageswara Rao, the then TPS (now Retd.,) and others of Tenali Municipality.

2. In the reference 2nd read above, among others, Government initiated departmental proceedings by issuing articles of charges against Sri Y.Siva Nageswara Rao, the then TPS (Retd.) with a directions to submit his Written Statement of Defence thereon.

3. In the reference 3rd read above, the charged officer submitted his written statement of defence by denying the charges framed against him and requested the Government to drop further action against him. Having not convinced with the written

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statement of defence submitted by the charged officer, Government vide reference 4th read above appointed Smt. K.Himabindu, Deputy Director, APCRDA, Vijayawada, as an Inquiry Officer and the Town Planning Officer, Tenali Municipality as Presenting Officer to enquire into the charges framed against Sri Y.Siva Nageswara Rao, the then TPS (Retd.) and others of Tenali Municipality.

4. The Inquiry Authority conducted enquiry into the charges framed against the charged officer and submitted her report, vide reference 5th read above and among others, has stated that out of (6) Charges (3) Charges were held proved and (3) Charges were not held proved against Sri Y.Siva Nageswara Rao, the then TPS (Retd.)

5. Government accepted the findings of the Inquiry Officer and in the reference 6th read above, a copy of enquiry report was communicated to the delinquent officer Sri Y.Siva Nageswara Rao, the then TPS (Retd.), Tenali Municipality, with a direction to submit his written representation, if any, on the findings of the Inquiry Officer in terms of Rule 21 (2) of APCS (CCA) Rules, 1991. The delinquent officer submitted his written representation, vide reference 7th read above.

6. Government after careful examination of the matter, keeping in view of the findings of the Inquiry Officer and written representations submitted by the delinquent officer, it has been provisionally decided to impose a penalty of 5% cut in pension for a period of two (2) years against Sri Y.Siva Nageswara Rao, the then TPS (Retd.) of Tenali Municipality, in terms of Rule-9 of AP Revised Pension Rules, 1980 and issued a show cause notice, calling for explanation as to why the said penalty shall not be imposed on him under Rule 9 of A.P. Revised Pension Rules, 1980 vide reference 8th read above. In reply, the delinquent officer has submitted written explanation and requested to drop further action against him, vide reference 9th read above.

7. Government have examined the written representation of the Charged officer; keeping in view the Inquiry Report and found that there are no new grounds put forth by the Charged Officer. After careful examination of the matter and after following due procedure, it has been decided to impose a penalty of "5% cut in pension for a period of two (2) years" against Sri Y.Siva Nageswara Rao, the then TPS (Retd.), Tenali Municipality.

8. In the reference 10th read above, the Secretary, A.P. Public Service Commission, Vijayawada was requested to convey the concurrence of the Commission to the Government proposal.

9. In the reference 11th read above, the Secretary, A.P. Public Service Commission, Vijayawada, has informed that, Commission proposed to impose a penalty of "5% cut in pension permanently, as the damage done is also permanent" against Sri Y.Siva Nageswara Rao, the then TPS (Retd.), Tenali Municipality and advised, accordingly.

10. The Government have considered the advise of the A.P. Public Service Commission, and examined the case in the light of the Enquiry Report submitted by

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the Inquiring Authority, in the reference 5th read above. It was evident from the report of Inquiring Authority, that the delinquent officer inspected and initiated action on deviations by issuing notices and filed criminal case. It was also observed that action was initiated upon inspecting the building and an STC was filed on this case and the Hon'ble Court relied upon the petition filed by the department and issued orders for collection of penalty. As such, the delinquent officer discharged his duties to certain extent.

11. Government after careful consideration of the matter, have decided to confirm the provisional decision to impose a penalty of "5% cut in pension for a period of two (2) years" against Sri Y.Siva Nageswara Rao, the then TPS (Retd.), Tenali Municipality, since the punishment is commentiating with the gravity of charges and findings of Inquiry Authority.

12. Accordingly, Government hereby impose a penalty of "5% cut in pension for a period of two (2) years" against Sri Y.Siva Nageswara Rao, the then TPS (Retd.), Tenali Municipality, under Rule-9 of A.P. Revised Pension Rules, 1980.

13. The Director of Town & Country Planning, A.P., Mangalagiri, shall take necessary further action in the matter accordingly.

14. The receipt of the G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y. SRILAKSHMI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Y.Siva Nageswara Rao, the then TPS (Retd.), Tenali Municipality
- **through** the DTCP., A.P., Mangalagiri.
The Director of Town & Country Planning, A.P., Mangalagiri.

Copy to:

The Director General, G.A. (V&E) Department, A.P., Vijayawada.
The Secretary to A.P. Vigilance Commission, A.P. Secretariat, Velagapudi.
The Secretary, A.P. Public Service Commission, A.P., Vijayawada.
The Municipal Commissioner, Tenali Municipality, Guntur District.
The Principal Accountant General (A&E), A.P., Vijayawada.
The Pay and Accounts Officer, Ibrahimpatnam, A.P., Krishna District
SF/SC (E.No.348723).

//FORWARDED BY ORDER //

SECTION OFFICER.